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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/652,065	08/31/2000	George E. Corbin	POU920000026US1	2966
7590	07/29/2004		EXAMINER	
William A Kinnaman Jr IBM Corporation IPLAW 2455 South Road M/S P386 Poughkeepsie, NY 12601			BASEHOAR, ADAM L	
			ART UNIT	PAPER NUMBER
			2178	

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)
	09/652,065	CORBIN ET AL.
	Examiner	Art Unit
	Adam L Basehoar	2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 20 May 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-17 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 15 December 2000 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

1. This action is responsive to communications: The Amendment filed on 05/20/04, with the Information Disclosure Statement filed on 12/15/00 of the application filed on 02/24/00.
2. Claims 12-17 have been added as necessitated by the Amendment.
3. Claims 1-11 are now pending in the case. Claims 1, 6, and 9 are independent claims.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-11 remain and claims 12-17 are rejected under 35 U.S.C. 102(b) as being anticipated by <http://www.webreference.com/js/column24/> "Persistence", created 08/28/98, pages 1-39. (Hereafter stated as WebReference).

-In regard to independent claims 1, 6, and 9, WebReference teaches a client application (Internet Explorer 5.0 Browser)(Page 1) that displays a form hypertext document where a user can enter user data into the form and where said client application can locally save displayed documents (Pages 16-17: Hard Disk Persistence, <http://www.webreference.com/js/column24/snapshot.html>). WebReference also teach a

method for providing local data persistence for the client application wherein the client application receives user data from the user (form data), receives a save command from the user to save the user data (Page 16: 2nd Paragraph), and in response to the save command creating a new hypertext document (saved file with persistent variables) containing the user data and displaying a message prompting the user to save the new document using said function for locally saving documents (Page 16-17: Hard Disk Persistence, <http://www.webreference.com/js/column24/snapshot.html> & Page 19: 1st Paragraph, User Data Persistence, <http://www.webreference.com/js/column24/userdata.html>). WebReference further teach wherein said new hypertext document contained a script function (Page 17):

```
<SCRIPT CLASS="saveSnapshot" ID="persistentScript">
  var persistentVariable;
</SCRIPT>
```

that becomes activated when said new hypertext document was loaded (clicking the “load” button) to perform a desired restoration function (refresh the form entry with persistent variables)(Page 17: 2nd Paragraph).

-In regard to dependent claim 2, WebReference teaches wherein the Internet Explorer 5.0 browser (client application)(Page 1) receives said first HTML file (hypertext document) from a server (Page 16: 1st & 2nd Paragraphs: Hard Disk Persistence, <http://www.webreference.com/js/column24/snapshot.html>).

-In regard to dependent claim 3, WebReference teaches wherein said hypertext documents are HTML documents (Page 16: Hard Disk Persistence, 1st and 2nd Paragraphs <http://www.webreference.com/js/column24/snapshot.html>).

-In regard to dependent claims 4, 7, and 10, WebReference teaches wherein said message is created as a part of said new hypertext document (Page 16: Hard Disk Persistence, 2nd Paragraph <http://www.webreference.com/js/column24/snapshot.html>).

-In regard to dependent claims 5, 8, and 11, WebReference teaches receiving a restore (load) command from the user (Page 17: Hard Disk Persistence, Last Two Paragraphs <http://www.webreference.com/js/column24/snapshot.html>) to restore the previously saved data and in response to receiving the command repopulating the document with said previously saved data.

-In regard to dependent claims 12, 14, and 16, WebReference teaches wherein said script function was a JavaScript function (JavaScript feature)(Page 1: 2nd Paragraph).

-In regard to dependent claims 13, 15, and 17, WebReference teaches wherein said script function becomes activated when loaded (clicking the “load” button) to repopulate (refresh) the first hypertext document (form entry) with said user data (persistent variables)(Page 17: 2nd Paragraph).

Response to Arguments

6. Applicant's arguments filed 05/20/04 have been fully considered but they are not persuasive.

In regard to independent claims 1, 6, and 9, Applicant argues that the newly amended feature of a script function was different than the script function as taught by WebReferences. The examiner notes the script function as taught in WebReferences was activated when the new document was loaded to refresh the persistent variables (restoration function)(Page 17: 2nd Paragraph). The Applicant's argument is moot as both script functions provide the same functionality as stated in the claimed invention.

Applicant also argues that WebReferences can not be used on multiple platforms such as Linux and Macintosh. The examiner notes that said limitation wherein the client application was platform independent was not recited in the claims of the invention and as such is not considered.

7. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e. platform independence and script function replete with names of variables to be repopulated to the header file) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L Basehoar whose telephone number is (703) 305-7212. The examiner can normally be reached on M-F: 7:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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STEPHEN S. HONG
PRIMARY EXAMINER